

## REMARKS

The remaining claim is claim 19.

Claim 19 is amended. Claim 20 is canceled. Claim 19 is amended to incorporate the limitations of prior dependent claim 20.

Claim 19 was rejected under 35 U.S.C. 103(a) as made obvious by the combination of Liu et al. U.S. Patent Application Publication No. 2004/0064809 and Srivastava U.S. Patent No. 5,966,539.

Claim 19 recites subject matter not made obvious by the combination of Liu et al and Srivastava. Claim 19 recites that the step of providing intermediate code to be optimized "provides only portions of the intermediate code." The OFFICE ACTION cites Srivastava at column 13, lines 30 to 36 and lines 44 to 51 as making obvious this limitation. Srivastava states at column 13, lines 30 to 36:

"First, the liveliness analysis of the optimizing linker 50 is substantially more precise than any analysis which could be performed by a traditional compiler 30. The optimizing linker 50 considers the entire program 20, the compiler 30 only deals with small portions of the program 20 at any one time. The link-time optimizer 50 can identify available registers which go unnoticed by the compiler."

This portion of Srivastava teaches that "the compiler 30 only deals with small portions of the program 20 at any one time." This portion of Srivastava fails to teach or suggest that these "small portions of the program 20" consist of "the intermediate code to optimized" as recited in amended claim 19. The Applicants submit that Srivastava fails to identify the program 20 taught in column 12 with the intermediate code taught in column 5. Accordingly, this portion of Srivastava fails to make obvious providing only a portion of the intermediate code as required by amended claim 19.

Srivastava states at column 13, lines 44 to 51:

"After the inter-procedural code motion and after the intra-procedural code motion, the link-time optimizer 55 performs a clean-up process. Clean-up removes common sub-expressions, inter-procedural dead code, redundant instructions which save and restore variables, temporary register-to-register copy instructions, and any duplicate code portions of invariant code which were moved to the same area from different locations."

This portion teaches removal of some program code in a clear-up process. This removal of code is not in the intermediate code provided to the linker as recited in amended claim 19. Srivastava teaches removal of code in the output of the linker and not in its input. Thus this portion of Srivastava discloses removal of a different thing at the output of the linker and not removal of intermediate code provided to the input of the linker. Accordingly, claim 19 is allowable over the combination of Liu et al and Srivastava.

The Applicants respectfully submit that all the present claims are allowable for the reasons set forth above. Therefore early reconsideration and advance to issue are respectfully requested.

If the Examiner has any questions or other correspondence regarding this application, Applicants request that the Examiner contact Applicants' attorney at the below listed telephone number and address to facilitate prosecution.

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